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Examiner: J. VEILLARD
Group Art Unit: 2165

Fax: 571-273-8300 Pages with Cover: 31

FORMAL SUBMISSION OF:

- 1) Transmittal Letter; and 2) Appeal Brief.

Title: PARSING OF NESTED INTERNET ELECTRONIC MAIL DOCUMENTS
Serial No. 09/941,105
Filing Date: August 28, 2001
First Named Inventor: John BUFORD
Atty. No. 01-8001
Customer Number: 32127

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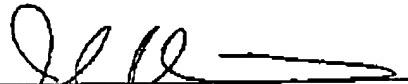
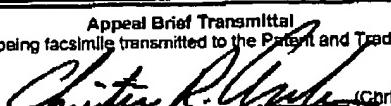
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| TRANSMITTAL OF APPEAL BRIEF | | Docket No. 01-8001 |
| In re Application of: John Buford et al. | | |
| Application No. 09/941,105 | Filing Date August 28, 2001 | Examiner J. Veillard |
| Group Art Unit 2165 | | |
| Invention: PARSING OF NESTED INTERNET ELECTRONIC MAIL DOCUMENTS | | |
| <u>TO THE COMMISSIONER OF PATENTS:</u> | | |
| Transmitted herewith is the Appeal Brief in this application, with respect to the Notice of Appeal filed: <u>December 1, 2005</u> . | | |
| <p>\$0.00 (500.00 was already been paid with the filing of the Appeal Brief on 06/06/05).</p> <p>The fee for filing this Appeal Brief is _____.</p> <p><input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity</p> <p><input type="checkbox"/> A petition for extension of time is also enclosed.</p> <p>The fee for the extension of time is _____.</p> <p><input type="checkbox"/> A check in the amount of _____ is enclosed.</p> <p><input checked="" type="checkbox"/> Charge the amount of the fee to Deposit Account No. <u>07-2347</u>. This sheet is submitted in duplicate.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees that may be required or credit any overpayment to Deposit Account No. <u>07-2347</u>. This sheet is submitted in duplicate.</p> | | |
|  <p>Joseph R. Palmeri Attorney Reg. No.: 40,760 Verizon Corporate Services Group, Inc. 600 Hidden Ridge Drive Mailcode HQE03H14 Irving, TX 75038 972-718-4800 Customer No. 32127</p> <p>Dated: <u>January 30, 2006</u></p> | | |
| <p style="text-align: center;">Appeal Brief Transmittal</p> <p>I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.</p> <p>Dated: January 30, 2006 Signature:  (Christian R. Andersen)</p> | | |

Docket No. 01-8001

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JAN 30 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of:
John F. Buford et al.

Application No.: 09/941,105

Filed: August 28, 2001

For: PARSING OF NESTED INTERNET
ELECTRONIC MAIL DOCUMENTS

Group Art Unit: 2165

Examiner: Veillard, Jacques

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is an Appeal Brief under Rule 41.37 appealing the decision of the Examiner set forth in the Office Action dated September 1, 2005. Each of the topics required by Rule 41.37 is presented herewith and is labeled appropriately.

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I. Real Party in Interest

The real party in interest is Verizon Laboratories Inc., Assignee, a corporation organized and existing under the laws of the state of Delaware, and having a place of business at 40 Sylvan Road, Waltham, MA 02451.

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III. Status of Claims

Claims 27-52 are currently pending in the application and all stand rejected.

Appellants appeal from the rejection of these claims, which are presented in the Claims Appendix.

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IV. Status of Amendments

There are no outstanding amendments to the claims, and claims 27-52 stand rejected for purposes of this appeal.

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V. Summary of Claimed Subject Matter

Appellants' disclosure provides systems and methods for processing complaints, especially complaints related to unwanted emails. When a user receives an unwanted email such as an unsolicited commercial email ("UCE") or other form of spam, the user may send a complaint about the unwanted email to a service provider (e.g., an Internet service provider ("ISP")) that employs the present systems and methods. As frequently happens, the user can conveniently attach the unwanted email to a complaint, thereby forming a complaint having the unwanted email nested therein. Accordingly, complaints may have various structures, including one or more concatenated (i.e., nested) email messages in which an original unwanted email is the innermost email message (H3, B3) nested in the complaint. For example, see Figure 2(a) of Appellants' drawings, in which H3 is the header and B3 is the body of the innermost nested email message in the complaint. (Figure 2(a); and page 5, line 28 through page 6, line 18 of Appellants' specification.)

A complaint containing one or more nested email messages may be received and parsed by an ISP help desk running an application that employs the present systems and methods. An analysis is performed on the structure of the complaint by parsing nested electronic email documents contained in the complaint. The parsing of the complaint includes breaking up nested email messages into components by looping through email headers (H1, H2, and H3) to separate each header and body (H3, B3), (H2, B2), (H1, B1) of the nested email messages. In this manner, the structure of the complaint can be recorded and analyzed. (Page 3, lines 19-22; and page 8, line 27 through page 9, line 7 of Appellants' specification.)

The parsed headers are analyzed to locate information (e.g., a source identifier) related to the unwanted email nested in the complaint. In particular, the present systems and methods

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loop through the headers of nested email messages and analyze the lines of the headers to determine whether header keywords can be used to detect the beginning of the innermost header (H3). Header keywords are normalized by removing extra spaces and blank lines within the headers. Headers are validated, and the last validated header contained in the complaint can be extracted and used to identify an actual source of the innermost nested email (i.e., the unwanted email). In particular, an innermost Received line (63) of the innermost header (H3) can be used to verify the source IP address or other information associated with the unwanted email. Other information contained in the nested emails may also be analyzed and used to process complaints about unwanted email messages. (Figures 6(a) and 6(b); and page 9, line 13 through page 11, line 2 of Appellants' specification.)

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VI. Grounds of Rejection to be Reviewed on Appeal

In the Office Action, the following rejections were made:

- (A) Claims 27, 36, 37, 46-48, and 51, were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,581,105 to Miloslavsky et al. (hereinafter "Miloslavsky").
- (B) Claims 28-35, 38-45, 49, 50, and 52 were rejected under 35 U.S.C. §103(a) as being unpatentable over Miloslavsky in view of U.S. Patent No. 6,321,267 to Donaldson (hereinafter "Donaldson").

Accordingly, the issues presented in this appeal are:

- (1) Whether claims 27, 36, 37, 46-48, and 51 are patentable over Miloslavsky.
- (2) Whether claims 28-35, 38-45, 49, 50, and 52 are patentable over the combination of Miloslavsky and Donaldson.

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VII. ArgumentThe Examiner's Failure to Address Several of Appellants' Arguments

In Appellants' Amendment dated September 30, 2004, Appellants presented numerous arguments for the patentability of several dependent claims, including claims 30-35 and 39-45. Unfortunately, the Final Office Action does not contain any response to the arguments associated with claims 30-35 and 39-45. In Appellants' response to the Final Office Action, filed on February 8, 2005, Appellants expressly requested that the Examiner address Appellants' traversals of the rejections of claims 30-35 and 39-45. (Pages 9 and 10 of Appellants' response to the Final Office Action filed February 8, 2005). However, the Advisory Action dated March 4, 2005 contains nothing more than a general pleading that "the examiner has provided a [sic] substantial evidence as to where each limitations [sic] of the claimed language are [sic] meet [sic] in the prior art." (Page 2 of the Advisory Action). In Appellants' first Appeal Brief filed June 6, 2005, Appellants again pointed out the Examiner's silence regarding the arguments for patentability of claims 30-35 and 39-45. In response to the first Appeal Brief, the Examiner reopened prosecution and issued the Office Action dated September 1, 2005 (hereinafter "the Office Action"), from which this appeal is taken. Unfortunately, the Examiner continues to fail to address the arguments for patentability of claims 30-34 and 39-44. In the Office Action, the Examiner again simply repeats the same rejections of these claims without addressing Appellants' traversal of the rejections or Appellants' request that the Examiner address the traversals of these claims.

MPEP 707.07(f) states that "[w]here the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it." While a discussion on the merits for the patentability of the

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claims is presented below, the failure of the Examiner to address Appellants' traversals of the rejections of numerous claims should in and of itself necessitate reversal of the rejections of at least dependent claims 30-34 and 39-44. The failure of the Examiner to address Appellants' traversals of the rejections of claims 30-34 and 39-44 is especially troublesome because the prior art teachings relied upon by the Examiner to reject the claims are entirely unrelated to the respective claim limitations, as discussed further below.

Issue 1: §102(e) Rejections of Claims 27, 36, 37, 46-48, and 51

On pages 3 and 4 of the Office Action, the Examiner rejected claims 27, 36, 37, 46-48, and 51 under 35 U.S.C. §102(e) as being anticipated by Miloslavsky. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). See M.P.E.P. § 2131. For the reasons discussed below, Miloslavsky fails to meet this requirement because each and every claim element recited in claims 27, 36, 37, 46-48, and 51 is not disclosed in Miloslavsky. Therefore, Appellants respectfully request reversal of the rejections of these claims.

A. Independent Claims 27, 37, 46, and 51

Independent claim 27 recites in part the steps of:

...retrieving a complaint from a complainant about an incident over the computer network;

parsing the complaint into a plurality of components, wherein the step of parsing includes breaking up an electronic mail message nested in the complaint into the plurality of components;....

(Emphasis added). Similarly, independent claims 37 and 51 recite limitations directed to breaking up an electronic mail message nested in the complaint. Independent claim 46 recites similar limitations directed to a message parser being adapted to break a message nested in

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the complaint into a plurality of message components. Miloslavsky fails to disclose the claim limitations directed to breaking up an electronic mail message nested in a complaint because the teachings of Miloslavsky assume only one message authored and sent by one sender, and consequently the purposes of Miloslavsky would be defeated for emails including multiple nested email messages each having its own header and body, as discussed below.

On page 3 of the Office Action, the Examiner equates the email message disclosed in Miloslavsky with claim limitations directed to a complaint, as recited in claims 27 and 37. The Examiner then inconsistently equates the same email message of Miloslavsky with the electronic mail message nested in the complaint, as recited in the independent claims. (Page 3 of the Office Action). This duplicative and inconsistent interpretation of a single email message authored and sent by a single sender, as disclosed in Miloslavsky, cannot reasonably be used to reject claim limitations directed to both retrieving a complaint and breaking up an electronic mail message nested in the complaint because a single email message is not in any way a disclosure of both a complaint and an email message nested in the complaint.

Because Miloslavsky discloses no more than a single email message containing information from a single source, the Examiner's interpretation of Miloslavsky is clearly incorrect. Miloslavsky discloses a call center that receives an email message from a customer. (Abstract of Miloslavsky). The email message is parsed at the call center to extract addresses, timestamps, or keywords. (Abstract and col. 36, lines 65 through col. 37, line 4 of Miloslavsky). The extracted information (e.g., keywords) is then matched with predefined criteria (e.g., predetermined keywords), which are associated with particular skill sets of customer service agents. (Abstract of Miloslavsky). Through this process, the email message can be routed to a particular customer service agent having skills helpful for responding to service requirements contained in the email message. (Abstract of

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Miloslavsky). Thus, the parsing disclosed in Miloslavsky is performed on a single email message from a single source and not having nested email messages therein, as further evidenced by independent claims 1 and 9 of Miloslavsky, which recite the parsing of "the message body of the email, as originally authored by the sender, for keywords or phrases." (Col. 39, lines 38-40 and col. 40, lines 11-13 of Miloslavsky, emphasis added). This disclosure clearly teaches away from the email message of Miloslavsky having a nested email message included therein. There simply is no disclosure in Miloslavsky of parsing an email message having another email message nested therein, much less a disclosure of one or more nested email messages that were created and sent by a source other than the source of the top-level email.

Accordingly, if the teachings of Miloslavsky were applied to a complaint having a nested email message therein, only information related to the first (i.e., the top level) header and body would be found. Clearly, the methods of Miloslavsky would fail to locate or even consider information contained in an innermost nested email message. Thus, the methods of Miloslavsky are incapable of identifying information (e.g., a source identifier) related to an unwanted email message when the unwanted email message is nested within a complaint email message.

On page 4 of the Office Action, the Examiner cites column 37, lines 4-6 of Miloslavsky: "The extraction algorithm in extractor 6204 is changeable because the coding in algorithm 6208 could be changed." Inasmuch as the Examiner may be relying upon the changeability of the parsing algorithm of Miloslavsky to somehow disclose claim limitations directed to breaking up an electronic mail message nested in a complaint, the simple ability to change the extraction algorithm of Miloslavsky does not in any way equate to a disclosure of breaking up a nested email message, especially in light of the complete absence in

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Miloslavsky of any teaching or suggestion of a nested email message. Based on the teachings of Miloslavsky, Appellants understand the changeability of the extraction algorithm to indicate no more than an ability to select the information that will be extracted from a single email message not having email messages nested therein. For example, the call center may change the particular keywords that will be extracted from the body of the email. (See col. 37, lines 1-6 and col. 39, lines 38-41 of Miloslavsky). Thus, the changeability of the parsing algorithm does not in any way amount to a disclosure of the claim limitation of breaking up an electronic email message nested in a complaint.

Because Miloslavsky discloses no more than a parsing of a single email message from a single source, Miloslavsky fails to disclose the claim limitations directed to breaking up an electronic mail message nested in a complaint. Accordingly, Miloslavsky fails to disclose each and every limitation recited in independent claims 27, 37, 46, and 51, and the rejections of these claims should not be sustained.

B. Dependent Claims 36, 47, and 48

Each of the dependent claims 36, 47, and 48, depends, directly or indirectly, from either independent claim 27 or 46. Therefore, for the same reasons discussed above in relation to the independent claims, the rejection of these dependent claims should not be sustained.

Issue 2: §103(a) Rejections of Claims 28-35, 38-45, 49, 50, and 52

On page 6 of the Office Action, the Examiner rejected claims 28-35, 38-45, 49, 50, and 52 under 35 U.S.C. §103(a) as being unpatentable over Miloslavsky in view of Donaldson. A *prima facie* case of obviousness requires: (1) a suggestion or motivation to modify or combine the reference teachings; (2) a reasonable expectation of success; and (3) a

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teaching or suggestion in the prior art references of all of the claim limitations (MPEP 2143).

For the reasons discussed below, the Office Action does not satisfy all of these requirements.

A. Dependent Claims 28, 29, 35, 38, 45, 49, 50, and 52

In rejecting claims 28, 29, 35, 38, 45, 49, 50, and 52 the Examiner suggests modifying Miloslavsky by incorporating a header location as suggested by Donaldson. The Examiner asserts:

The motivation being to enhanced [sic] the system of Miloslavsky et al. by allowing it to locate forged [sic] email address [sic] in order to reject email from unknown hosts (spammers) that do not list the recipient's email address header of the message considered as junk mail.

(Page 6 of the Office Action). For the following reasons, Appellants respectfully submit that it would not have been obvious to combine the teachings of Miloslavsky and Donaldson as asserted by the Examiner.

The test for combining references is what the combination taken as a whole would suggest to one of ordinary skill in the art. *In re McLaughlin*, 170 USPO 209 (CCPA 1971). Further, a reference must be considered for all it teaches, including disclosures that teach away from the invention as well as disclosures that point toward the invention. *Ashland Oil, Inc. v. Delta Resins & Refractories, Inc.*, 776 F.2d 281, 227 U.S.P.Q. 657 (Fed. Cir. 1985).

One of ordinary skill in the art, upon reading either Miloslavsky or Donaldson, would not have been motivated to look to the other reference to cure any deficiencies in the first reference because Miloslavsky and Donaldson are directed to solving different problems. On one hand, Miloslavsky is directed to the routing of emails to qualified customer support agents in a call center. (Abstract of Miloslavsky). In contrast, Donaldson is directed to filtering/blocking email by rejecting email received from unknown hosts. (Abstract of Donaldson). The routing and the blocking of emails are two different and contrasting

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problems.

Moreover, Donaldson and Miloslavsky teach away from their combination because such a combination would not be desirable in the contexts described in Donaldson and Miloslavsky. To illustrate, the efficient routing of email messages to qualified call center personnel, as taught in Miloslavsky, would be compromised by adding the email blocking capabilities taught in Donaldson. Significantly, customer service provided by a call center would be unresponsive whenever emails sent by actual customers from unknown email addresses were blocked by the system of Donaldson. Thus, the combination of Miloslavsky and Donaldson suggested by the Examiner would impermissibly change the principles of Miloslavsky by rendering Miloslavsky's call center ineffective in providing customer service to people whose email addresses may not be known in advance. (See M.P.E.P. § 2143.02, citing *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).)

For the foregoing reasons, Appellants respectfully submit that one of ordinary skill in the art would not have been motivated to combine Miloslavsky and Donaldson as asserted in the Office Action. Accordingly, the Office Action fails to establish a *prima facie* case of obviousness against claims 28, 29, 35, 38, 45, 49, 50, and 52, and the rejections of these claims should not be sustained.

B. Dependent Claims 30 and 39

The rejections of dependent claims 30 and 39 should not be sustained because of the dependencies of these claims from independent claims 27 and 37, respectively, and/or from intervening claims 28 and 38, respectively. In addition, claims 30 and 39 recite independently patentable matter that is not taught or suggested in the cited prior art. "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or

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suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)."

M.P.E.P. § 2143.03. Claims 30 and 39 each recite limitations directed to a normalizing step including a step of removing at least one character from a header based on a header keyword. Removal of characters from headers is an important part of normalizing the headers, which normalization allows nested headers to be looped through to identify the header of the innermost nested email message. (See page 10, lines 13-23 of Appellants' specification). The innermost nested email is normally the unwanted email message being reported.

On pages 6 and 7 of the Office Action, the Examiner relies upon the combination of Miloslavsky and Donaldson to reject claims 30 and 39. In particular, the Examiner cites column 2, lines 38-41 of Donaldson, which section of Donaldson discloses removing a message from a sending host device once a transmission of the message is complete. (Donaldson, col. 2, lines 37-41). The removal of an entire message from the queue of a sending host device is entirely different from the claim limitations directed to normalizing by removing a character from a header. The removal of an entire message from a sending queue has nothing to do with the normalization of nested email message headers for purposes of parsing the headers. Clearly, the section of Donaldson relied upon by the Examiner does not in any way teach or disclose the claim limitations directed to a normalizing step including a step of removing at least one character from a header based on a header keyword, as recited in claims 30 and 39. Miloslavsky does not cure this deficiency of Donaldson because, as the Examiner appropriately admits on page 6 of the Office Action, Miloslavsky does not teach locating a header. Miloslavsky does not even mention the term "header."

Because Miloslavsky and Donaldson, taken either alone or in combination, do not teach every claim limitation recited in claims 30 and 39, the Office Action fails to establish a *prima facie* case of obviousness against these claims. Therefore, the rejections of claims 30

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and 39 should not be sustained.

C. Dependent Claims 31 and 40

The rejections of dependent claims 31 and 40 should not be sustained because of the dependencies of these claims from independent claims 27 and 37, respectively. In addition, claims 31 and 40 recite independently patentable matter that is not taught or suggested in the cited prior art. For example, claims 31 and 40 recite claim limitations directed to locating a Received line. The locating of an innermost embedded Received line is helpful for identifying the actual source of the innermost nested email. (See page 10, line 24 through page 11, line 13 of Appellants' specification).

On page 7 of the Office Action, the Examiner relies upon the combination of Miloslavsky and Donaldson to reject claims 31 and 40. In particular, the Examiner cites column 2, lines 49-61 and column 3, lines 5-14 of Donaldson, which sections of Donaldson teach that protocol messages are transferred as sequences of ASCII characters that end with a specific "newline" character. (Col. 2, lines 49-61 and col. 3, lines 5-14 of Donaldson). A "newline" character, as understood by those skilled in the art, is entirely unrelated to the claim limitation of a Received line, which has specific meaning in the field of email messaging. A "newline" character, as disclosed in Donaldson, would not contain information useful for identifying the actual source of a nested email message. While Donaldson appears to disclose merely that a message header may include Received lines (col. 4, lines 24-31 of Donaldson), Donaldson does not include any teaching or suggestion of locating the Received lines of components of nested emails, as recited in claims 31 and 40. Miloslavsky does not cure this deficiency of Donaldson. Miloslavsky does not even mention the term "Received line."

Because Miloslavsky and Donaldson, taken either alone or in combination, do not

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teach every claim limitation recited in claims 31 and 40, the Office Action fails to establish a *prima facie* case of obviousness against these claims. Therefore, the rejections of claims 31 and 40 should not be sustained.

D. Dependent Claims 32, 41, and 42

The rejections of dependent claims 32, 41, and 42 should not be sustained because of the dependencies of these claims from independent claim 27 or 37. The rejections of claims 32, 41, and 42 should also not be sustained because of the dependencies of these claims from intervening claim 31 or 40. In addition, claims 32, 41, and 42 recite independently patentable subject matter that is not taught or suggested in the cited prior art. For example, claims 32 and 41 each recite the claim limitations directed to validating a source IP address from the Received line. Claim 42 recites claim limitations directed to using the Received line to validate an IP address of a source of the complaint. As mentioned above, the Received line may be helpful for identifying the source of a nested email message. Each source IP address in the Received line may be validated to help determine the actual source of the related nested email message. (See page 11, lines 14-27 of Appellants' specification).

On page 7 of the Office Action, the Examiner relies upon the combination of Miloslavsky and Donaldson to reject claims 32, 41, and 42. In particular, the Examiner cites Figure 3, column 3, lines 39-41, column 4, lines 15-21, and column 4, lines 53-61 of Donaldson to reject these claims. (Page 7 of the Office Action). However, these sections of Donaldson are directed to a process for establishing a connection between a sending Message Transfer Agent (MTA) and a receiving mail server for the transmission of email messages, which process is entirely unrelated to using a Received line of a nested email message to validate a source IP address. Thus, the cited sections of Donaldson do not contain any

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teaching or suggestion of the claim limitation of validating a source IP address from the Received line. In contrast, Donaldson teaches the use of the body of an email to identify a solicitor's contact information because junk mail frequently does not include a recipient's address in the header of the message. (Col. 4, lines 50-58 of Donaldson). Miloslavsky also fails to teach or suggest the claim limitation of validating a source IP address from the Received line. Again, Miloslavsky does not even mention the term "Received line."

Because Miloslavsky and Donaldson, taken either alone or in combination, do not teach every claim limitation recited in claims 32, 41, and 42, the Office Action fails to establish a *prima facie* case of obviousness against these claims. Therefore, the rejections of claims 32, 41, and 42 should not be sustained.

E. Dependent Claims 33 and 43

The rejections of dependent claims 33 and 43 should not be sustained because of their dependencies from independent claims 27 and 37, respectively. The rejections of claims 33 and 43 should also not be sustained because of the dependencies of these claims from intervening claims 31 and 40, respectively, or because of the dependencies of claims 33 and 43 from respective intervening claims 32, 41, and 42. In addition, claims 33 and 43 independently recite patentable subject matter that is not taught or suggested in the cited prior art. For example, claims 33 and 43 each recite claim limitations directed to a source IP address being validated by locating one or more delimiters in the Received line. The delimiters are useful for validating a source IP address contained in the Received line. (See page 11, lines 1-27 of Appellants' specification).

On page 7 of the Office Action, the Examiner relies upon the combination of Miloslavsky and Donaldson to reject claims 33 and 43. In particular, the Examiner cites

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Figure 3, column 3, lines 39-41, and col. 4, lines 15-21 of Donaldson to reject these claims. However, these sections of Donaldson are directed to an unrelated process for connecting a sending Message Transfer Agent (MTA) to a receiving mail server for the transmission of email messages. This is entirely different from locating delimiters in the Received line of a nested email message in order to validate a source IP address, as recited in claims 33 and 43. Moreover, the angle brackets disclosed in Donaldson cannot reasonably be relied upon to reject the claim limitation of locating one or more delimiters in the Received line because Donaldson explicitly states that the angled brackets shown in Fig. 3 "do not form a part of the message being transmitted." (See col. 4, lines 22-23 of Donaldson). Thus, the angled brackets of Donaldson do not in any way teach or suggest the delimiters recited in claims 33 and 43. Clearly, the sections of Donaldson relied upon by the Examiner do not in any way teach or disclose the claim limitation of locating one or more delimiters in the Received line, as recited in claims 33 and 43. Miloslavsky does not cure this deficiency of Donaldson. Again, Miloslavsky does not contain any mention of the term "Received line."

Because Miloslavsky and Donaldson, taken either alone or in combination, do not teach every claim limitation recited in claims 33 and 43, the Office Action fails to establish a *prima facie* case of obviousness against these claims. Therefore, the rejections of claims 33 and 43 should not be sustained.

F. Dependent Claims 34 and 44

The rejections of dependent claims 34 and 44 should not be sustained because of the dependencies of these claims from independent claims 27 and 37, respectively. In addition, claims 34 and 44 recite independently patentable subject matter that is not taught or suggested in the cited prior art. For example, claims 34 and 44 each recite claim limitations directed to

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categorizing a complaint. On page 7 of the Office Action, the Examiner relies upon the combination of Miloslavsky and Donaldson to reject claims 34 and 44. In particular, the Examiner cites column 7, lines 31-64 of Donaldson to reject these claims. However, this section of Donaldson merely recites seven categories of known solutions for blocking junk email messages and has nothing to do with categorizing a complaint. Miloslavsky fails to cure this deficiency in Donaldson. Because Miloslavsky and Donaldson, taken either alone or in combination, do not teach every claim limitation recited in claims 34 and 44, the Office Action fails to establish a *prima facie* case of obviousness against these claims. Therefore, the rejections of claims 34 and 44 should not be sustained.

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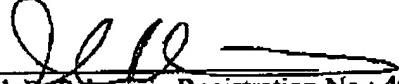
VIII. Conclusion

In view of the foregoing, it is submitted that the rejections of the pending claims are improper and should not be sustained. Therefore, a reversal of the rejections is respectfully requested.

The previously paid appeal brief fee (paid with respect to the first Appeal Brief filed June 6, 2006) should be applied to this Appeal Brief. (See page 2 of the Office Action). Accordingly, it is believed that no fee is due with this Appeal Brief. However, permission is granted to charge our Deposit Account No. 07-2347, under Order No. 01-8001, from which the undersigned is authorized to draw, for any fee due with this Appeal Brief. To the extent necessary, a petition for extension of time under 37 C.F.R. § 1.136 is hereby made, the fee for which should be charged to the above account.

Dated: January 30, 2006

Respectfully submitted,

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IX. Claims Appendix

27. (Previously Presented) A method for parsing nested electronic mail documents over a computer network, the method comprising the steps of:

retrieving a complaint from a complainant about an incident over the computer network;

parsing the complaint into a plurality of components, wherein the step of parsing includes breaking up an electronic mail message nested in the complaint into the plurality of components;

normalizing one of the plurality of components; and

using an analysis protocol on one of the plurality of components to extract information relating to the complaint.

28. (Previously Presented) The method of Claim 27, wherein the parsing step further includes locating a header in one of the plurality of components.

29. (Previously Presented) The method of Claim 28, further including the step of locating a header keyword in the header.

30. (Previously Presented) The method of Claim 29, wherein the normalizing step includes removing at least one character from the header based on the header keyword.

31. (Previously Presented) The method of Claim 27, further including the step of locating a Received line in one of the plurality of components.

32. (Previously Presented) The method of Claim 31, further including the step of validating a source IP address from the Received line.

33. (Previously Presented) The method of Claim 32, wherein the source IP address is validated by locating one or more delimiters in the Received line.

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34. (Previously Presented) The method of Claim 27, further including the step of categorizing the complaint into a category.

35. (Previously Presented) The method of Claim 27, wherein the extracted information comprises one of a complaint tracking code, a source IP address, a Received Line, a First Line, a URL, and a body of one of the plurality of components.

36. (Previously Presented) The method of Claim 35, wherein the extracted information forms a record of a database.

37. (Previously Presented) A method for parsing nested electronic mail documents over a computer network, the method comprising the steps of:

retrieving a complaint from a complainant about an incident over the computer network;

parsing the complaint into a body and a header, wherein the step of parsing includes breaking up an electronic mail message nested in the complaint into the body and the header of the complaint;

normalizing the body and the header of the complaint; and

extracting specific fields from the body and the header of the complaint using an analysis protocol.

38. (Previously Presented) The method of Claim 37, further including the step of locating a header keyword in the header of the complaint.

39. (Previously Presented) The method of Claim 38, further including the step of removing at least one character from the header based on the header keyword.

40. (Previously Presented) The method of Claim 37, further including the step of locating a Received line in one of the plurality of components.

41. (Previously Presented) The method of Claim 40, further including the step of validating a source IP address from the Received line.

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42. (Previously Presented) The method of Claim 41, further including the step of using the Received line to validate an IP address of a source of the complaint.

43. (Previously Presented) The method of Claim 42, wherein the IP address of the source of the complaint is validated by locating one or more delimiters in the Received line.

44. (Previously Presented) The method of Claim 37, further including the step of categorizing the complaint to determine an action based on a category of the complaint.

45. (Previously Presented) The method of Claim 37, wherein the extracted fields comprise one of a complaint tracking code from the header of the complaint, an IP address from the header of the complaint, a Received Line from the header of the complaint, a First Line from the body of the complaint, and a URL from the body of the complaint.

46. (Previously Presented) A system for processing a complaint received over a computer network, comprising:

a message parser adapted to break a message into a plurality of message components, wherein the message comprises an electronic mail message nested in the complaint;

a normalizer for converting at least one of the plurality of message components into a common presentation format associated with that message component; and

an analysis protocol adapted to analyze the plurality of message components by way of the common presentation format.

47. (Previously Presented) The system of Claim 46, wherein the analysis protocol further includes an extractor adapted to isolate specific information in the message in accordance with predetermined criteria.

48. (Previously Presented) The system of Claim 47, wherein the extractor searches for at least one of an IP address, a domain name, and an electronic mail address.

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49. (Previously Presented) The system of Claim 48, wherein the extractor identifies an alphanumeric character associated with the IP address, the domain name or the electronic mail address.

50. (Previously Presented) The system of Claim 46, wherein the message components include a header and a body.

51. (Previously Presented) A system for processing a complaint relating to a service disruption over a computer network, comprising:

an organization for providing services for a complainant on a computer network,

wherein the organization retrieves a complaint from the complainant relating to the service disruption and processes the complaint by parsing the complaint into a plurality of components, normalizing the plurality of components, and extracting specific fields from at least one of the plurality of components of the complaint, and

wherein the step of parsing includes breaking up an electronic mail message nested in the complaint into the plurality of components.

52. (Previously Presented) The system according to Claim 51, wherein one of the specific fields comprises a source IP address.

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X. Evidence Appendix

None.

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XI. Related Proceedings Appendix

None.